

<b>001705</b>		<b>REQUEST FOR COUNCIL ACTION</b> CITY OF SAN DIEGO		1. CERTIFICATE NUMBER (FOR AUDITOR'S USE) <b>143</b>  3. DATE: <b>11/18</b> August 22, 2008			
TO: <b>CITY ATTORNEY</b>		2. FROM (ORIGINATING DEPARTMENT): <b>Office of the City Treasurer</b>					
4. SUBJECT: <b>CONFLICT OF INTEREST CODE FOR Office of the City Treasurer</b>							
5. PRIMARY CONTACT (NAME, PHONE, & MAIL STA.) <b>Anabel Holmstrom, Senior Budget Analyst,          619-533-6483, MS 51T</b>		6. SECONDARY CONTACT (NAME, PHONE, & MAIL STA.) <b>Robbin Kulek, Treasury Operations          Manager, 619-236-6170, MS 51T</b>		7. CHECK BOX IF REPORT TO COUNCIL IS ATTACHED <div style="text-align: right;"><input checked="" type="checkbox"/></div>			
<b>8. COMPLETE FOR ACCOUNTING PURPOSES</b>							
FUND				9. ADDITIONAL INFORMATION / ESTIMATED COST:			
DEPT.							
ORGANIZATION							
OBJECT ACCOUNT							
JOB ORDER							
C.I.P. NUMBER							
AMOUNT							
<b>10. ROUTING AND APPROVALS</b>							
ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED	ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED
1	ORIG. DEPT	<i>Yusef E. Mansour</i>	8/22/08	8	DEPUTY CHIEF		
2				9	COO		
3				10	CITY ATTORNEY	<i>Michael J. Smith</i>	10/16/08
4	CFO			11	ORIG. DEPT	<i>Yusef E. Mansour</i>	8/22/08
5				DOCKET COORD: _____ COUNCIL LIAISON: _____ <input checked="" type="checkbox"/> COUNCIL PRESIDENT <input type="checkbox"/> SPOB <input checked="" type="checkbox"/> CONSENT <input type="checkbox"/> ADOPTION <i>MS</i> <input type="checkbox"/> REFER TO: _____    COUNCIL DATE: <b>11/18/08</b>			
6							
7							
11. PREPARATION OF: <input checked="" type="checkbox"/> RESOLUTIONS <input type="checkbox"/> ORDINANCE(S) <input type="checkbox"/> AGREEMENT(S) <input type="checkbox"/> DEED(S) Adopting the revised Conflict of Interest Code for <u>Office of the City Treasurer</u>							
11A. STAFF RECOMMENDATIONS: Approve the revised Conflict of Interest Code and appendices as submitted.							
12. SPECIAL CONDITIONS (REFER TO A.R. 3.20 FOR INFORMATION ON COMPLETING THIS SECTION.) <u>COUNCIL DISTRICT(S): All</u> <u>COMMUNITY AREA(S): Citywide</u> <u>ENVIRONMENTAL IMPACT: N/A</u> <u>HOUSING IMPACT: N/A</u> <u>OTHER ISSUES: NONE</u>							

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## EXECUTIVE SUMMARY SHEET

DATE REPORT ISSUED:

REPORT NO.:

ATTENTION: City Council

ORIGINATING DEPARTMENT: *Office of the City Treasurer*

SUBJECT: BIENNIAL REVIEW: CONFLICT OF INTEREST CODES

COUNCIL DISTRICT(S): N/A

STAFF CONTACT: *Anabel Holmstrom, Senior Budget Analyst, 619-533-6483*

REQUESTED ACTION: Resolution

**STAFF RECOMMENDATION:**

## Pass Resolution

EXECUTIVE SUMMARY:

This revision is intended to conform to Government Code Section 87305.5 requiring a biennial review and update of local conflict of interest codes as reflected in City Council Resolution No. R-303718 adopted on May 20, 2008. The *Office of the City Treasurer's* code has been revised to: *include the Accountant IV position which had not been previously designated, and change the existing title of Collections Revenue Supervisor to Revenue Collections Supervisor and update the description of duties for this position.*

FISCAL CONSIDERATIONS: 0

PREVIOUS COUNCIL and/or COMMITTEE ACTION: N/A

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS: N/A

**KEY STAKEHOLDERS & PROJECTED IMPACTS (if applicable):** N/A

Mari R. Marechal

[DEPT. HEAD]

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## 2008 Local Agency Biennial Notice

Name of Agency: Office of the City Treasurer  
Mailing Address: 1200 Third Avenue, San Diego, CA 92101 (MS 51T)  
Contact Person: Anabel Holmstrom, Senior Budget Analyst  
Phone Number: (619) 533-6483 Fax Number: (619) 236-7134  
E-mail: aholmstrom@sandiego.gov

This agency has reviewed its conflict of interest code and has determined that:

- ☒ The code needs to be amended and the following amendments are necessary:  
(Check all that apply)
- ☒ Include new positions (including consultants) which must be designated (App. A)
- ☐ Delete positions that manage public investments from the list of designated positions.
- ☐ Revise disclosure categories (App. B)
- ☒ Revise the titles of existing positions (App. A)
- ☐ Delete the titles of positions that have been abolished (App. A)
- ☐ No amendments are necessary. The agency's code accurately designates all positions that make or participate in the making of governmental decisions; the disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property and sources of income which may foreseeably be affected materially by the decisions made by those holding the designated positions; and the code includes all other provisions required by Government Code Section 87302.

  
Signature of Chief Executive Officer

8/22/08  
Date

You must complete this report regardless of how recently your code was approved or amended.

**Please return this report by August 22, 2008, to:**

Denise Jenkins, Elections Analyst  
Office of the City Clerk  
202 C Street, MS 2A, San Diego, CA 92101

## **CERTIFICATION**

The foregoing amendment to the Conflict of Interest Code was prepared by the City of San Diego's Office of the City Treasurer  
(name of department/agency/board)

after a fair opportunity was offered to the members of the department/agency/board to present their views.

Gail R. Mancini  
(signature of executive officer)

8/22/08  
(date)

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# CITY TREASURER CONFLICT OF INTEREST CODE

## APPENDIX A DESIGNATED POSITIONS, DUTIES, AND CATEGORIES

<u>Position</u>	<u>Duties</u>	<u>Category</u>
<b>OFFICE OF THE CITY TREASURER</b>		
Treasurer	Receive, disperse, have custody of, invest and account for all City monies; administer tax Ordinances; assist in management of SPSP/401K and other trust funds; collect amounts owed to the City.	1 ~ Statutory Requirement ~ Gov't Code Section 87200
Treasury Operations Manager	Assist City Treasurer in receiving, dispersing and accounting for all City monies; administration of tax ordinances and management of trust funds.	1
Chief Investment Officer	Invest the operating and capital improvement funds, including the pooled investments, of the City and its agencies in marketable securities; selects vendors, corporations or financial institutions that provide services to the City for banking, cash management, financial and technology services or products and execute wire transfers.	1 ~ Statutory Requirement ~ Gov't Code Section 87200
Investment Officer	Invest City's pooled investments; analyze City's daily cash position and forecast cashflow requirements. Administer City's banking contracts and execute wire transfers.	1 ~ Statutory Requirement ~ Gov't Code Section 87200
Revenue Collection Manager	Assist City Treasurer in administration of tax Ordinances and collection of amounts owed to the City; administer Delinquent Accounts Collection Program, Parking Administration, and Parking Meter Operations.	1
Revenue Audit Manager	Under administrative direction, plan, develop and direct revenue auditing activities; assist City Treasurer in administration of appeal	1

001714 Information Systems Manager	hearings. Supervise the work of departmental information technology staff. Perform project management responsibilities in accordance with the City's Project Management Office guidelines to procure and/or develop and implement information systems.	2
Information Systems Analyst III	Perform systems administrator functions for department. Perform project management responsibilities in accordance with the City's Project Management Office guidelines to procure and/or develop and implement information systems.	3
Information Systems Analyst II	Under direction, coordinate the development, testing, implementation and modification of department information systems in accordance with the City's Project Management Office guidelines. Perform systems administrator functions for department.	3
Accounting Manager	Supervise the work of professional Accountants performing accounting, auditing, reconciliation and banking services functions; maintain automated financial information systems and develop cash controls and related procedures.	2
<u>Accountant IV</u> <u>"NEW"</u>	<u>Direct accounting activities to ensure bank reconciliations are completed timely and accurately; prepare monthly investment reports; review investment accounting; maintain bank reconciliation related procedures.</u>	2
Accountant III	Direct accounting and auditing activities; develop and maintain cash control and related procedures.	3
Accountant II	Under direction, perform accounting and auditing work of a highly complex or sensitive nature, and assist in training.	3
Delinquent Accounts Manager	Under administrative direction, plan, develop and manage a City-wide program for the collection of delinquent Accounts Receivable; direct and supervise the work of collection	2

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	staff; manage legal and Court related collection activities.	
Business Tax Program Manager	Direct business tax program including business and rental unit tax collection.	2
<del>Collections Revenue Supervisor Revenue Collections Supervisor "REVISED"</del>	<del>Under direction, supervise Collections Investigators performing delinquent account collections and delinquent account litigation work; perform very complex and highly sensitive delinquent account collection work to recover monies owed to the City.</del> <u>Under direction, supervise and perform delinquent account collections/litigation work, parking citation review/customer service/payment processing work, delinquent account/parking citation payment processing or parking meter coin collection, installation/maintenance/repair and citation issuance work.</u>	2
Business Tax Revenue Supervisor	Under direction of the Business Tax Program Manager, supervise the business and rental unit business tax administration and collection process.	2
Senior Budget Analyst	Under direction, perform budgetary, fiscal, organizational and project management functions; make complex City-wide revenue analyses and forecasts; review consultants' financing plans and debt structuring for feasibility.	2
Senior IT Analyst	Under direction, coordinate the development, testing, implementation and modification of department information systems in accordance with the City's Project Management Office guidelines. Perform systems administrator functions for department.	3
Parking Administration Manager	Under administrative direction, manage Parking Administration to include customer service, parking permits, appeals and payment processing activities; direct and supervise the work of Parking Administration staff; make recommendations on parking policies in compliance with municipal Ordinance and the CA Vehicle Code.	2

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Senior Management Analyst	Under administrative direction, perform fiscal, organizational, and project management functions; make complex cost/revenue analyses and forecasts.	2
Investment Assistant	Under administrative direction, enter wire template transfers, contact custodial bank regarding settlement of trades daily cash reconciliation, input trades into portfolio accounting system, and confirm correct pricing on monthly bank analysis. Track daily revenues/expenditures on spreadsheet, generate investment reports, and reconcile the custodial bank's holding report with the portfolio accounting system holding report.	2

## CONSULTANTS

Refer to the Disclosure Category section (Appendix B) for Consultants



**CITY TREASURER  
CONFLICT OF INTEREST CODE**

**APPENDIX B  
DISCLOSURE CATEGORIES**

Category 1	<p>Investments and business positions in any business entity located in or doing business with the City.</p> <p>Income and gifts from sources located in or doing business with the City.</p> <p>Interests in real property located in the City, including property located within a two-mile radius of any property owned or used by the City.</p>
Category 2	<p>Investments and business positions in a firm or business entity that supplies goods or services to the City, receives goods or services from the City, that is a tenant of the City, that is an adverse party to the City in a legal proceeding, or that is granted authority by the City to use City facilities.</p> <p>Income and gifts from any person or business entity that supplies goods or services to the City, receives goods or services from the City, that is a tenant of the City, that is an adverse party to the City in a legal proceeding, or that is granted authority by the City to use City facilities.</p> <p>Interests in real property located in the City of San Diego, including property located within a two-mile radius of any property owned or used by the City.</p>
Category 3	<p>All investment and business positions in business entities, and income, including gifts, loans, and travel payments, from sources that provide services, supplies, materials, machinery or equipment utilized by the department, but limited to the following business relationships:</p> <ul style="list-style-type: none"><li>➤ information technology services, and/or</li><li>➤ banking services</li></ul>
Category 4	<p>Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest category in the code subject to the following limitation:</p> <p style="padding-left: 40px;">The City Treasurer may determine in writing that a particular consultant, although a "designated position", is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The City Treasurer's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.</p>

# CITY TREASURER CONFLICT OF INTEREST CODE

## APPENDIX A DESIGNATED POSITIONS, DUTIES, AND CATEGORIES

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Investment Officer	Invest City's pooled investments; analyze City's daily cash position and forecast cashflow requirements. Administer City's banking contracts and execute wire transfers.	1 ~ Statutory Requirement ~ Gov't Code Section 87200
Revenue Collection Manager	Assist City Treasurer in administration of tax Ordinances and collection of amounts owed to the City; administer Delinquent Accounts Collection Program, Parking Administration, and Parking Meter Operations.	1
Revenue Audit Manager	Under administrative direction, plan, develop and direct revenue auditing activities; assist City Treasurer in administration of appeal	1

Information Systems Manager 001720	hearings. Supervise the work of departmental information technology staff. Perform project management responsibilities in accordance with the City's Project Management Office guidelines to procure and/or develop and implement information systems.	2
Information Systems Analyst III	Perform systems administrator functions for department. Perform project management responsibilities in accordance with the City's Project Management Office guidelines to procure and/or develop and implement information systems.	3
Information Systems Analyst II	Under direction, coordinate the development, testing, implementation and modification of department information systems in accordance with the City's Project Management Office guidelines. Perform systems administrator functions for department.	3
Accounting Manager	Supervise the work of professional Accountants performing accounting, auditing, reconciliation and banking services functions; maintain automated financial information systems and develop cash controls and related procedures.	2
Accountant IV	Direct accounting activities to ensure bank reconciliations are completed timely and accurately; prepare monthly investment reports; review investment accounting; maintain bank reconciliation related procedures.	2
Accountant III	Direct accounting and auditing activities; develop and maintain cash control and related procedures.	3
Accountant II	Under direction, perform accounting and auditing work of a highly complex or sensitive nature, and assist in training.	3
Delinquent Accounts Manager	Under administrative direction, plan, develop and manage a City-wide program for the collection of delinquent Accounts Receivable; direct and supervise the work of collection	2

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staff; manage legal and Court related collection activities.

Business Tax Program Manager	Direct business tax program including business and rental unit tax collection.	2
Revenue Collections Supervisor	Under direction, supervise and perform delinquent account collections/litigation work, parking citation review/customer service/payment processing work, delinquent account/parking citation payment processing or parking meter coin collection, installation/maintenance/repair and citation issuance work.	2
Business Tax Revenue Supervisor	Under direction of the Business Tax Program Manager, supervise the business and rental unit business tax administration and collection process.	2
Senior Budget Analyst	Under direction, perform budgetary, fiscal, organizational and project management functions; make complex City-wide revenue analyses and forecasts; review consultants' financing plans and debt structuring for feasibility.	2
Senior IT Analyst	Under direction, coordinate the development, testing, implementation and modification of department information systems in accordance with the City's Project Management Office guidelines. Perform systems administrator functions for department.	3
Parking Administration Manager	Under administrative direction, manage Parking Administration to include customer service, parking permits, appeals and payment processing activities; direct and supervise the work of Parking Administration staff; make recommendations on parking policies in compliance with municipal Ordinance and the CA Vehicle Code.	2
Senior Management Analyst	Under administrative direction, perform fiscal, organizational, and project management functions; make complex cost/revenue analyses and forecasts.	2

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Under administrative direction, enter wire template transfers, contact custodial bank regarding settlement of trades daily cash reconciliation, input trades into portfolio accounting system, and confirm correct pricing on monthly bank analysis. Track daily revenues/expenditures on spreadsheet, generate investment reports, and reconcile the custodial bank's holding report with the portfolio accounting system holding report.

## CONSULTANTS

Refer to the Disclosure Category section (Appendix B) for Consultants

## CITY TREASURER CONFLICT OF INTEREST CODE

### APPENDIX B DISCLOSURE CATEGORIES

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Category 2	<p>Investments and business positions in a firm or business entity that supplies goods or services to the City, receives goods or services from the City, that is a tenant of the City, that is an adverse party to the City in a legal proceeding, or that is granted authority by the City to use City facilities.</p> <p>Income and gifts from any person or business entity that supplies goods or services to the City, receives goods or services from the City, that is a tenant of the City, that is an adverse party to the City in a legal proceeding, or that is granted authority by the City to use City facilities.</p> <p>Interests in real property located in the City of San Diego, including property located within a two-mile radius of any property owned or used by the City.</p>
Category 3	<p>All investment and business positions in business entities, and income, including gifts, loans, and travel payments, from sources that provide services, supplies, materials, machinery or equipment utilized by the department, but limited to the following business relationships:</p> <ul style="list-style-type: none"> <li>➤ information technology services, and/or</li> <li>➤ banking services</li> </ul>
Category 4	<p>Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest category in the code subject to the following limitation:</p> <p style="padding-left: 40px;">The City Treasurer may determine in writing that a particular consultant, although a "designated position", is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The City Treasurer's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.</p>

RESOLUTION NUMBER R-\_\_\_\_\_

DATE OF FINAL PASSAGE \_\_\_\_\_

RESOLUTION ADOPTING A REVISED CONFLICT OF  
INTEREST CODE FOR THE OFFICE OF THE CITY  
TREASURER

WHEREAS, Government Code sections 87300 and 87302 require local agencies to adopt conflict of interest codes designating positions that involve the making or participation in making of decisions which may foreseeably have a material effect on financial interests, and for each position, the financial interests which are reportable; and

WHEREAS, in compliance with Government Code section 87306.5, the City is in the midst of a required City-wide biennial review of all conflict of interest codes for which the City Council serves as code-reviewing body; and

WHEREAS, by Resolution R-303718 (approved by the City Council on May 20, 2008), the City Council directed every City department, agency, board and commission for which the City Council serves as code-reviewing body to make biennial reports and to update their conflict of interest codes as necessary; and

WHEREAS, as the City's code-reviewing body, the City Council finds it in the public interest to adopt the standard conflict of interest code promulgated by the California Fair Political Practices Commission [FPPC] in Regulation 18730, and hereby declares its intention to incorporate by reference the terms of FPPC Regulation 18730 and any amendments to that regulation duly adopted by the FPPC as part of each conflict of interest code for which the City Council has responsibility; and

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WHEREAS, by Resolution No. R-302197, the City Council on December 5, 2006, approved a revised Conflict of Interest Code for the Office of the City Treasurer; and

WHEREAS, the Office of the City Treasurer now seeks to revise its conflict of interest code to add an Accountant IV position that had not been previously designated, and to change the existing title of Collections Revenue Supervisor to Revenue Collections Supervisor and update the description of duties for that position; and

WHEREAS, the City Council concurs that a revised Conflict of Interest Code be adopted for the Office of the City Treasurer; and

WHEREAS, Government Code section 87303 provides that when a proposed conflict of interest code or amendment is approved by the code-reviewing body, it shall be deemed adopted, and, accordingly, this resolution is not subject to veto by the Mayor; NOW THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that a Conflict of Interest Code for the Office of the City Treasurer is hereby adopted, consisting of standard language embodied in title 2, section 18730 of the California Code of Regulations, and any amendments to that regulation duly adopted by the Fair Political Practices Commission, with Appendix A showing designated positions and their duties, and Appendix B showing the disclosure categories.

BE IT FURTHER RESOLVED, that a copy of Appendix A and Appendix B to the Conflict of Interest Code for the Office of the City Treasurer as adopted be placed on file in the Office of the City Clerk as Document No. RR-\_\_\_\_\_.

BE IT FURTHER RESOLVED, that the persons whose positions are designated in the revised Conflict of Interest Code for the Office of the City Treasurer shall file their statements of



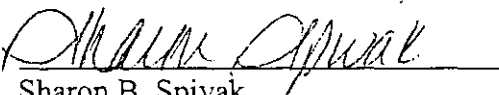
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economic interest with the City Clerk in compliance with the schedule set forth in Government Code section 87302(b) and Fair Political Practices Commission Regulation 18730, or any amendments thereto, which set forth the deadlines for the filing of initial statements, assuming office statements, annual statements and leaving office statements.

BE IT FURTHER RESOLVED, that the statements of economic interest filed by designated persons be retained by the Office of the City Clerk and be made available for public inspection and reproduction.

BE IT FURTHER RESOLVED, that the Conflict of Interest Code for the Office of the City Treasurer becomes effective upon the date of adoption of this resolution.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By   
Sharon B. Spivak  
Deputy City Attorney

SBS:als  
10/16/08  
Or.Dept:City Treasurer  
R-2009-226